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enforcement officer" has been stricken already, and the only thing now is to talk about this public servant. So we're trying to narrow the scope of what constitutes a public servant. The problem that existed with those who are looking at my original amendment was not with the idea of having the person be required to be performing official duties, but there was uncertainty as to the meaning of the words that I'm now striking. So with the striking of those words, it takes away the uncertainty that they had, and now we're saying that whoever and whatever this "public servant" is, the individual who's going to be subject to this particular aggravating circumstances would have to have known or reasonably should have known that this is a public servant. Because the way the language is now, as broad as it is, it includes anybody, not just corrections and jail officers, but anybody who works for a political subdivision who may take somebody into custody of whatever kind.

SENATOR WITEK: Is there anywhere that "public servant" is defined?

SENATOR CHAMBERS: No, and that's what Senator Matzke and I, not this morning, are going to work on to see if we can narrow it to include those categories of persons that he has in mind.

SENATOR WITEK: Okay. So all you're doing, then, with this amendment is clarifying, if you will, the language...instead of reading "law enforcement officer" in this section of the bill, that you'll use the same language that's on line 23 through 24 on page 2 and just insert "public servant"? That's all the change you're making?

SENATOR CHAMBERS: Well, public servant...with the change that Senator Matzke's bill is making.

SENATOR WITEK: Right.

SENATOR CHAMBERS: "Law enforcement officer" is stricken and the only thing that remains is "public servant". If "law enforcement officer" had not been stricken, it would be easy to presume that the public servant you're talking about, in addition to law enforcement officer, would be those who have custody of people who've been arrested.